



February 18, 2005

HOUSE BILL No. 1599

DIGEST OF HB 1599 (Updated February 16, 2005 10:38 am - DI 77)

Citations Affected: IC 25-33; IC 25-35.6; noncode.

Synopsis: Psychologists, speech pathologists, and audiologists. Allows certain state licensure exams to apply to the psychology reciprocity requirements. Amends several definitions concerning speech-language pathology and audiology. Requires licensure of speech-language pathology aides, associates, and assistants. Amends licensure requirements of speech-language pathologists and audiologists. Requires an audiologist to possess a doctorate degree after January 1, 2007. Allows the professional standards board to issue credentials to certain speech language professionals. Allows certified speech-language pathologists and audiologists who meet certain requirements to be considered to have a National Board of Professional Teaching Standards certification. Amends reciprocity licensure requirements for speech language pathologists and audiologists. Requires licenses to be displayed. Makes conforming changes.

Effective: July 1, 2005.

Lehe, Koch, Adams T, Frizzell

January 18, 2005, read first time and referred to Committee on Employment and Labor.
January 25, 2005, reassigned to Committee on Public Health.
February 17, 2005, amended, reported — Do Pass.

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HB 1599—LS 7379/DI 77+



February 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1599

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-33-1-9 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) The board shall
3 issue a license to practice psychology to an individual who:

- 4 (1) applies in the manner required by the board;
- 5 (2) pays a fee;
- 6 (3) is at least eighteen (18) years of age;
- 7 (4) has not been convicted of a crime that has a direct bearing on
8 the individual's ability to practice competently;
- 9 (5) holds, at the time of application, a valid license or certificate
10 as a psychologist from another state;
- 11 (6) possesses a doctoral degree from a recognized institution of
12 higher learning;
- 13 (7) has successfully completed:
 - 14 (A) a degree program that would have been approved by the
15 board at the time the individual was licensed or certified in the
16 other state; or
 - 17 (B) if the individual was licensed or certified in the other state

HB 1599—LS 7379/DI 77+



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- 1 before July 1, 1969, a degree program that satisfied the
 2 educational requirements of the board in effect January 4,
 3 1971;
 4 (8) has practiced psychology continuously since being licensed or
 5 certified;
 6 (9) if the individual was licensed or certified by the other state:
 7 (A) after September 30, 1972, has taken the Examination for
 8 the Professional Practice of Psychology and achieved the
 9 passing score required by the board at the time the
 10 examination was administered; or
 11 (B) **before January 1, 1990, and the other state required an**
 12 **examination other than the Examination for the**
 13 **Professional Practice of Psychology, achieved a passing**
 14 **score in the other state at the time of licensure or**
 15 **certification;**
 16 (10) has passed an examination administered by the board that
 17 covers Indiana law related to the practice of psychology; and
 18 (11) is not in violation of this chapter or rules adopted under this
 19 chapter.
 20 (b) The board may adopt rules under IC 4-22-2 concerning the
 21 issuance of a license under this section.
 22 SECTION 2. IC 25-35.6-1-2 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) As used in this
 24 article, "board" means the speech-language pathology and audiology
 25 board established by this article.
 26 (b) As used in this article, "person" means any individual,
 27 organization, or corporate body, except that only an individual may be
 28 licensed under this article.
 29 (c) As used in this article, "speech-language pathologist" means an
 30 individual who practices speech-language pathology and who presents
 31 himself to the public by any title or description of services
 32 incorporating the words speech pathologist, speech-language
 33 pathologist, speech therapist, **speech-language specialist, teacher of**
 34 **communication disorders**, speech correctionist, speech clinician,
 35 language pathologist, language therapist, logopedist, communicologist,
 36 voice therapist, voice pathologist, or any similar title or description of
 37 service.
 38 (d) As used in this article, "speech-language pathology" means the
 39 application of nonmedical and nonsurgical principles, methods, and
 40 procedures for the ~~measurement, testing, evaluation, prediction,~~
 41 ~~counseling, instruction, habilitation, or rehabilitation related to the~~
 42 ~~development and disorders of speech, voice, or language for the~~

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purpose of evaluating, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals following:

(1) The prevention, evaluation, habilitation, rehabilitation, instruction, and research of communication and swallowing disorders.

(2) The elective modification of communication behaviors.

(3) The enhancement of communication, including the use of augmentative or alternate communication strategies.

(e) As used in this article, "audiologist" means an individual who practices audiology and who presents himself to the public by any title or description of services incorporating the words audiologist, hearing clinician, hearing therapist, **hearing specialist, audiometrist, audioprosthologist, vestibular specialist**, or any similar title or description of service.

(f) As used in this article, "audiology" means the application of ~~nonmedical and~~ nonsurgical principles, methods, and procedures of measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation, or rehabilitation related to hearing and disorders of hearing for the purpose of evaluating, identifying, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals: **prevention, evaluation, habilitation, rehabilitation, instruction, and research of disorders of hearing, auditory function, and vestibular function.**

(g) As used in this article, "speech-language pathology aide" ~~"support personnel"~~ means an individual ~~individuals~~ who meets minimum ~~meet the~~ qualifications which the board ~~may shall~~ establish for the following:

(1) Speech-language pathology aides: ~~aide~~.

(2) Speech-language pathology associate.

(3) Speech-language pathology assistant.

which qualifications shall be less than those established by this article as necessary for licensure as a speech-language pathologist, and who works under the direct supervision of a licensed speech pathologist.

(h) As used in this article, "audiology aide" means an individual who meets minimum qualifications which the board may establish for audiology aides, which qualifications shall be less than those established by this article as necessary for licensure as an audiologist, and who works under the direct supervision of a licensed audiologist. **"clinical fellowship" means a supervised professional experience.**

(i) As used in this article, "direct supervision" means onsite observation and guidance while an assigned evaluation or

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therapeutic activity is being performed.

SECTION 3. IC 25-35.6-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. Nothing in this article shall be construed as preventing or restricting the following:

(1) A physician or surgeon from engaging in the practice of medicine in this state, or a person under the supervision and control of a physician or surgeon from conducting hearing testing, provided such a person is not called an audiologist.

(2) Any hearing aid dealer from engaging in the testing of hearing and other practices and procedures necessary for the business for which the dealer is registered in this state under IC 25-20-1.

(3) Any person licensed or registered in this state by any other law from engaging in the profession or occupation for which the person is licensed or registered.

(4) A person ~~who holds a valid and current credential as a speech-language or hearing specialist issued by the department of education, or a person employed as a speech-language pathologist or audiologist by the government of the United States, if such person performs speech-language pathology or audiology services solely within the confines or under the jurisdiction of the governmental or state educational organization by which the person is employed. However, such person may, without obtaining a license under this article, consult with or disseminate the person's research findings and other scientific information to speech-language pathologists and audiologists outside the jurisdiction of the organization by which the person is employed. Such person may also offer instruction and lectures to the public for a fee, monetary or other, without being licensed under this article. Such person may additionally elect to be subject to this article.~~

(5) The activities and services of persons pursuing a course of study leading to a degree in speech-language pathology **or audiology** at a college or university, if:

(A) such activities and services constitute a part of a supervised course of study; ~~and that~~

(B) such person is designated speech-language pathology **or audiology** intern, speech-language pathology **or audiology** trainee, or by other such titles clearly indicating the training status appropriate to the person's level of training; **and**

(C) **the person works only under the direct supervision of a speech-language pathologist or audiologist licensed under this article.**

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(6) The activities and services of a person pursuing a course of study leading to a degree in audiology at a college or university; if such activities and services constitute a part of a supervised course of study and such person is designated audiology intern, audiology trainee, or by any other such titles clearly indicating the training status appropriate to the person's level of training.

~~(7)~~ (6) The activities and services of persons fulfilling the clinical experience requirement of section 5(a)(5) of this chapter, if such activities and services constitute a part of the experience required for that section's fulfillment.

~~(8)~~ (7) The performance of pure tone air conduction testing by an industrial audiometric technician, as defined by federal law, who is working in an industrial hearing conservation program directed by a physician or an audiologist.

~~(9)~~ (8) The performance of speech-language pathology or audiology services in this state by any person not a resident of this state who is not licensed under this article, if such services are performed for no more than five (5) days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this article, and if such person meets the qualifications and requirements for application for licensure described in sections 5(a)(1) and 5(a)(2) of this chapter. However, a person not a resident of this state who is not licensed under this article, but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by section 5 of this chapter or who is the holder of a certificate of clinical competence in speech-language pathology or audiology or its equivalent issued by a nationally recognized association for speech-language ~~and~~ **or** hearing, may offer speech-language pathology or audiology services in this state for no more than thirty (30) days in any calendar year, if such services are performed in cooperation with a speech-language pathologist or audiologist licensed under this article.

SECTION 4. IC 25-35.6-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. To be eligible for licensure by the board as a speech-language pathologist, ~~or audiologist,~~ **a speech-language pathology aide, a speech-language pathology associate, or a speech-language pathology assistant,** a person must satisfy the following:

(1) Not have been convicted of a crime that has a direct bearing on the person's ability to practice competently.

(2) **For licensure as a speech-language pathologist:**

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(A) possess at least a master's degree or its equivalent in the area of speech-language pathology or audiology, as the case may be, from an educational institution recognized by the board; and

(B) submit evidence of:

(i) a national certification in speech-language pathology that is approved by the board; or

(ii) satisfaction of the academic and clinical experience requirements necessary for licensure as defined in the rules of the board.

(3) For registration as a speech-language pathology aide, possess at least a high school degree or its equivalent.

(4) For registration as a speech-language pathology associate, possess at least an associate degree in speech-language pathology.

(5) For registration as a speech-language pathology assistant, possess at least a bachelor's degree in speech-language pathology.

(3) Submit to the board transcripts from one (1) or more of the educational institutions described in subdivision (2) evidencing completion of at least eighteen (18) semester hours in courses providing fundamental information applicable to the normal development of speech, hearing, and language and at least forty-two (42) semester hours in courses providing information about and practical experience in the management of speech, hearing, and language disorders; and of these forty-two (42) semester hours:

(A) no fewer than six (6) shall be in audiology for a person applying for licensure in speech-language pathology;

(B) no fewer than six (6) shall be in speech-language pathology for a person applying for licensure in audiology;

(C) no more than six (6) shall be in courses providing academic credit for clinical practice;

(D) at least twenty-four (24); not including credits for thesis or dissertation requirements; shall be in the field for which the license is sought; and

(E) at least thirty (30) shall be in courses considered by the educational institution in which they are conducted as acceptable for application toward a graduate degree.

(4) Submit to the board evidence of the completion of at least three hundred (300) hours of supervised, direct clinical experience with a variety of communication disorders, which

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experience is received within the educational institution itself or a clinical program with which it cooperates.

(5) Submit to the board evidence of the completion of at least nine (9) consecutive months, at no less than thirty (30) hours per week, of clinical experience in the professional area (speech-language pathology and audiology) for which a license is sought. This requirement may also be fulfilled by part-time clinical experience as follows: fifteen (15) to nineteen (19) hours per week for eighteen (18) consecutive months; twenty (20) to twenty-four (24) hours per week for fifteen (15) consecutive months; or twenty-five (25) to twenty-nine (29) hours per week for twelve (12) consecutive months. The clinical experience must be under the direct supervision of and attested to in a notarized statement by a person licensed in the area (speech-language pathology or audiology) for which a license is being sought. Such clinical experience must additionally follow the completion of the requirements described in subdivisions (2), (3), and (4).

(6) Pass a written examination approved by the board.

SECTION 5. IC 25-35.6-1-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 6. To be eligible for licensure by the board as an audiologist, an individual must satisfy the following:**

- (1) Not have been convicted of a crime that has a direct bearing on the individual's ability to practice competently.
- (2) Possess a doctoral degree from an accredited educational program recognized by the board.
- (3) Submit evidence of:
 - (A) a national certification in audiology that is approved by the board; or
 - (B) satisfaction of the academic and clinical experience requirements necessary for licensure as defined in the rules of the board.

SECTION 6. IC 25-35.6-1-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 7. (a) The professional standards board may issue an initial license as a speech-language pathologist only to an individual who is licensed as a speech-language pathologist under this article. The professional standards board shall issue a license as a speech-language pathologist to an individual who:**

- (1) is licensed as a speech-language pathologist under this article; and
- (2) requests licensure.

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(b) A speech-language pathologist licensed by the professional standards board shall register with the health professions bureau all speech-language pathology support personnel that the speech-language pathologist supervises.

(c) The professional standards board may not impose different or additional supervision requirements upon speech-language pathology support personnel than the supervision requirements that are imposed under this article.

(d) The professional standards board may not impose continuing education requirements upon an individual who receives a license under this section that are different from or in addition to the continuing education requirements imposed under this article.

(e) An individual who:

(1) if:

(A) the individual is a speech-language pathologist, receives a license under this section or received a license as a speech-language pathologist issued by the professional standards board before July 1, 2005; or

(B) the individual is an audiologist, works in an educational setting;

(2) has been the holder of a certificate of clinical competence in speech-language pathology or audiology or its equivalent issued by a nationally recognized association for speech-language pathology and audiology for at least four (4) consecutive years; and

(3) has at least five (5) years of professional experience as a licensed speech-language pathologist or audiologist; is considered to have the equivalent of and is entitled to the same benefits that accrue to a holder of a national certification issued by the National Board for Professional Teaching Standards.

SECTION 7. IC 25-35.6-1-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) The board shall adopt rules under IC 4-22-2 to define the role of support personnel, including the following:

(1) Supervisory responsibilities of the speech-language pathologist.

(2) Ratio of support personnel to speech-language pathologists.

(3) Scope of duties and restrictions of responsibilities for each type of support personnel.

(4) Frequency, duration, and documentation of supervision.

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(5) Education and training required to perform services.

(6) Procedures for renewing registration and terminating duties.

(b) A speech-language pathologist must meet the following qualifications to supervise speech-language pathology support personnel:

(1) Hold a current license as a speech-language pathologist.

(2) Have at least three (3) years of clinical experience.

(3) Hold a certificate of clinical competence in speech-language pathology or its equivalent issued by a nationally recognized association for speech-language and hearing.

(c) Speech-language pathology support personnel may provide support services only under the direct supervision of a speech-language pathologist.

SECTION 8. IC 25-35.6-1-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) If a speech-language pathologist performs a speech-language pathology evaluation and the evaluation suggests the possibility of a condition that requires medical attention, the speech-language pathologist shall promptly refer the patient to an individual licensed under IC 25-22.5.

(b) A speech-language pathologist shall perform instrumental procedures using rigid or flexible endoscopes only under the authorization and general supervision of an individual licensed under IC 25-22.5.

SECTION 9. IC 25-35.6-1-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. If an audiologist performs an audiological evaluation and the evaluation suggests the possibility of a condition that requires medical attention, the audiologist shall promptly refer the patient to an individual licensed under IC 25-22.5.

SECTION 10. IC 25-35.6-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) The board:

(1) shall administer, coordinate, and enforce this article;

(2) shall evaluate the qualifications and supervise the examinations of applicants for licensure under this article;

(3) may issue subpoenas, examine witnesses, and administer oaths; and

(4) shall, at its discretion, investigate allegations of practices violating this article, subject to IC 25-1-7.

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(b) The board shall adopt rules under IC 4-22-2 relating to professional conduct commensurate with the policy of this article, including rules that establish standards for the competent practice of speech-language pathology and audiology. Following their adoption, the rules govern and control the professional conduct of every person who holds a license to practice speech-language pathology or audiology in this state.

(c) The board shall conduct the hearings and keep the records and minutes necessary for the orderly dispatch of its functions. The board shall have notice provided to the appropriate persons in a manner it considers appropriate of the times and places of all hearings authorized by this subsection. Approval by a majority of a quorum of the board is required for any action to be taken in actions for revocation or suspension of a license issued under this article.

(d) The board may adopt rules under IC 4-22-2 to:

- (1) administer or enforce this article;
- (2) register persons in the process of fulfilling the clinical experience required for a license under this article;
- (3) establish fees in accordance with IC 25-1-8-2; and
- (4) register speech-language pathology **assistants, associates, and audiology aides** and establish rules governing the duties of **assistants, associates, and aides**.

(e) The conferral or enumeration of specific powers elsewhere in this article shall not be construed as a limitation of the general functions conferred by this section.

SECTION 11. IC 25-35.6-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The board ~~may waive the examination and grant licensure shall issue a license in speech-language pathology or audiology~~ to any applicant who:

(1) presents proof of:

- (A) current licensure **in speech-language pathology or audiology** in another state, including the District of Columbia or a territory of the United States, ~~which maintains under professional standards considered by that~~ the board **considers** to be **at least** equivalent to those set forth in this article; **or**
- (B) **practice as a speech-language pathologist or an audiologist under the authority and supervision of an agency of the federal government; and**

(2) **meets any other requirements that the board establishes by rule.**

(b) The board may waive the examination and grant licensure to any person certified as clinically competent by a nationally recognized

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1 association for speech-language and hearing in the area for which such
2 person is applying for licensure.

3 SECTION 12. IC 25-35.6-3-3.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2005]: **Sec. 3.5. The board may issue a**
6 **provisional license in audiology to an individual who meets the**
7 **requirements that the board establishes by rule.**

8 SECTION 13. IC 25-35.6-3-8.1 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2005]: **Sec. 8.1. (a) Each individual licensed**
11 **under this article and each individual registered as a**
12 **speech-language pathology aide, a speech-language pathology**
13 **associate, or a speech-language pathology assistant shall provide**
14 **public notice of the license or registration by making the license or**
15 **registration, or an official duplicate of the license or registration,**
16 **available when the individual practices speech-language pathology**
17 **or audiology or provides support services.**

18 (b) Before support personnel may provide services, the
19 speech-language pathologist shall ensure that prior written
20 notification is provided to the recipient of the services that services
21 are to be provided in whole or in part by support personnel.

22 SECTION 14. [EFFECTIVE JULY 1, 2005] (a) The health
23 professions bureau shall issue a license in speech-language
24 pathology as follows:

25 (1) To each individual who applies for licensure and meets all
26 of the following qualifications:

27 (A) Holds a license in speech and hearing therapy issued by
28 the professional standards board.

29 (B) Has a master's degree in speech-language pathology or
30 a related discipline.

31 (C) Has been employed as a speech-language pathologist
32 for at least nine (9) months in the last five (5) years.

33 (2) To each individual who applies for licensure and meets all
34 of the following qualifications:

35 (A) Holds a life license in speech-language pathology issued
36 by the professional standards board.

37 (B) Has:

38 (i) been employed as a speech-language pathologist for at
39 least nine (9) months in the last five (5) years; or

40 (ii) taken at least thirty-six (36) hours of continuing
41 education approved by the professional standards board
42 or health professions bureau after December 31, 2001,

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1 **and before January 1, 2007.**

2 **(b) This SECTION expires July 1, 2007.**

3 SECTION 15. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding
4 **IC 25-35.6-1-8(b)(3)**, as added by this act, a speech-language
5 pathologist is not required to hold a certificate of clinical
6 competence in speech-language pathology or its equivalent issued
7 by a nationally recognized association for speech-language and
8 hearing to supervise speech-language pathology support personnel.

9 **(b) This SECTION expires July 1, 2010.**

10 SECTION 16. [EFFECTIVE JULY 1, 2005] (a) Notwithstanding
11 **IC 25-35.6-1-6(2)**, as added by this act, an applicant for initial
12 license as an audiologist is required to possess only a master's
13 degree in audiology from an accredited educational program
14 recognized by the board.

15 **(b) This SECTION expires January 1, 2007.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1599, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1599 as introduced.)

BECKER, Chair

Committee Vote: yeas 7, nays 3.

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